

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

C.O.C.P. NO.2579 OF 2014

DATE OF DECISION: NOVEMBER 09, 2016

Atma Ram and another

.....Petitioners

VERSUS

ASI Dilbagh Singh and others

....Respondents

CORAM:- HON'BLE MR.JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Kawaljyot Singh, Advocate for
Mr. D. K. Bhatti, Advocate,
for the petitioner.

Mr. K.D.S.Sidhu, Addl.A.G., Punjab,
for the respondents.

AUGUSTINE GEORGE MASIH, J. (ORAL)

The petitioners have approached this Court alleging violation of the order passed by Hon'ble the Supreme Court in Criminal Appeal No.1277 of 2014 (Arnesh Kumar Vs. State of Bihar and another), alleging non-compliance of requirement of provision of Section 41 (1) of the Code of Criminal procedure.

The reply, which has been filed by the respondents and as clarified by their counsel, it is apparent that although the FIR was registered on 30.07.2014 but it has been brought to the notice of the Court that earlier thereto, there was a complaint given by the aggrieved party, on the basis of which detailed enquiry was held and then in pursuance to thereof, FIR No.98, dated 30.07.2014 was registered under Sections 406,

498A IPC at Police Station Bhogpur, Jalandhar. It has further been stated that the judgement of Hon'ble the Supreme Court was not to the knowledge of the respondents as the same was conveyed to them on 09.08.2014.

In this view of the matter, it cannot be said that the directions, as issued by Hon'ble the Supreme Court or the provisions of Section 41A Cr.P.C. have not been complied with by the respondents while arresting the petitioners. It has further been brought to the notice of the Court that the matter has been amicably settled between the aggrieved parties.

In view of the above, the present contempt petition is disposed of.

Rule issued to the respondents stands discharged.

November 09, 2016
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(AUGUSTINE GEORGE MASIH)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No